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PATENT
ATTY. DKT NO. 11285/P58317US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 07 2000

TECH CENTER 1600/2900

In re patent application of:

Jim APPINO et al.

Serial No.: 08/865,044

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Art Unit: 1615

Filed: May 29, 1997

Examiner: R. Bawa

Title: DEVICE FOR DISPENSING A THERAPEUTIC OR COSMETIC SUBSTANCE,
THE INERT VEHICLE OF WHICH IS A VOLATILE POLYDIORGANOSILOXANE,
AND COMPOSITION INTENDED TO BE USED IN THE DEVICE

TRANSMITTAL

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is a Petition Under 37 CFR §1.181 to Withdraw Holding of Abandonment.

___ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

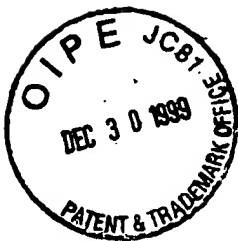
___ A check in the amount of \$ _____ is attached for:

XX If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)-(d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this paper is attached for that purpose.

JACOBSON, PRICE, HOLMAN & STERN, PLLC
400 Seventh Street, N. W.
Washington, D.C. 20004-2201
Atty. Dkt. No.: 11285/P58317US2
Date: December 30, 1999
WEP:sdg

By:

William E. Player
Registration No. 31,409



CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL UNDER 37 C.F.R. 1.53(d)
Submit an original and a duplicate for fee processing

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ATTORNEY
DOCKET NUMBER

FIRST NAMED INVENTOR

TOTAL PAGES
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P58317US2

Jim APPINO

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Address to:

Assistant Commissioner of Patents
Box CPA
Washington, D.C. 20231

COPY

This is a request for filing a ☒ continuation or ☐ divisional application for **DEVICE FOR DISPENSING A THERAPEUTIC OR COSMETIC SUBSTANCE, THE INERT VEHICLE OF WHICH IS A VOLATILE POLYDIORGANOSILOXANE, AND COMPOSITION INTENDED TO BE USED IN THE DEVICE** under 37 C.F.R. 1.53(d) of prior application 08/865,044 filed on May 29, 1997, entitled by the following inventor(s):

Jim APPINO
Jean-Marc AIACHE

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ Cancel claim(s) _____ for purposes of lessening filing fees.
4. ☒ The application filing fee is deferred under 37 CFR 1.53(f).
5. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
6. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
7. ☐ Enclosed is a copy of the Information Disclosure Statement (IDS) and PTO 1449 less the cited references which was filed in the prior nonprovisional application which is relied on for an earlier filing date under 35 U.S.C. 120 and was not considered by the Examiner.

8. ☐ Small entity status:
- a. ☐ A small entity statement is enclosed.
 - b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
 - c. ☐ Is no longer claimed.
9. ☒ Petition to extend the life of the above prior nonprovisional application to at least the date hereof

(One box) ☒ is being filed concurrently herewith
NOTE: (must be) ☐ was previously filed
(X'd) ☐ is not necessary

If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358. A duplicate of this paper is attached.

10. ☐ Also enclosed is:

Address all future correspondence to:

JACOBSON, PRICE, HOLMAN & STERN, PLLC
The Jenifer Building
400 Seventh Street, N.W.
Washington, D.C. 20004-2201
Telephone 202/638-6666
Customer No. 000136

Respectfully submitted,

By:

William E. Player
Reg. No. 31,409

JACOBSON, PRICE, HOLMAN & STERN, PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004
(202) 638-6666
Atty. Docket No.: P58317US2
Date: October 12, 1999

☐ Filed under 37 CFR 1.34(a)



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JPH&S R. 258317 US2 Today's Date 16/12/99
Serial/Patent No. 08/865,044
Applicant Jim Appino, et al.
Filing Date May 29, 1997

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | |
|-------------------------------------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> _____ pp. Specification & _____ Claims | <input type="checkbox"/> Response to Office Action |
| <input type="checkbox"/> Combined Declaration, Power of Attorney | <input type="checkbox"/> Disclosure Statement |
| <input type="checkbox"/> Preliminary Amendment | <input type="checkbox"/> Copies of References |
| <input type="checkbox"/> Rule 53 (b) Application | <input type="checkbox"/> Request for Refund |
| <input checked="" type="checkbox"/> Rule 53 (d) Application | <input type="checkbox"/> Request for Corrected Filing Receipt |
| <input type="checkbox"/> Claim to Priority and Certified Copy | <input checked="" type="checkbox"/> Petition for XOT |
| <input type="checkbox"/> Substitute <input type="checkbox"/> Subsequent Declaration | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Maintenance Fee | <input type="checkbox"/> Brief |
| <input type="checkbox"/> Drawings _____ Sheets _____ Formal _____ Informal | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Assignment/Change of Name | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Small Entity Declaration | |

☒ Check for \$ 870.00

JPH&S 12/97

DUE DATE 10/12/99

Person filing WEP/sdg

JACOBSON, PRICE, HOLMAN & PATEN, PLLC
400 SEVENTH STREET, N.W.
WASHINGTON, D.C. 20004

